

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

JESSICA JONES et al.,

Plaintiffs,

v.

VARSITY BRANDS, LLC et al.,

Defendants.

Civ. Action No. 2:20-cv-02892

**DECLARATION OF STEVEN J. KAISER IN SUPPORT OF
DEFENDANTS' REPLY MEMORANDUM OF LAW IN SUPPORT OF MOTION TO
EXCLUDE TESTIMONY OF PLAINTIFFS' PROFERRED EXPERT RANDAL HEEB,
PHD**

I, Steven J. Kaiser, declare as follows:

1. I am counsel to Varsity Brands, LLC; Varsity Spirit, LLC; Varsity Spirit Fashions & Supplies, LLC; Charlesbank Capital Partners, LLC; and Bain Capital Private Equity LP in this matter.
2. Attached as Exhibit A is a true and correct copy of *New York v. Meta Platforms, Inc.*, No. 21-7078 (D.C. Cir. Apr. 27, 2023).
3. Attached as Exhibit B is a true and correct copy of excerpts from the transcript of the deposition of Randal Heeb.
4. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 28, 2023.

A handwritten signature in black ink, appearing to read "Steven J. Kaiser". The signature is written in a cursive, flowing style with some capitalization and a horizontal line at the end.

Steven J. Kaiser